

Minutes of January 17, 2003 Meeting  
25541 Barton Road  
Loma Linda

1. Chair Beswick called the meeting to order at 9 :00 a.m.

Board Members Present

Board Members Absent

Carole Beswick, Chair  
Fred Ameri, Vice-Chair  
Jose Solorio  
Seymour Van Gundy  
John Withers  
Joan Dotson  
Karen Stein  
William Ruh

Staff Members Present

Gerard J. Thibeault, Executive Officer  
Kurt V. Berchtold, Assistant Executive Officer  
Michael J. Adackapara, Supervising Water Resource Control Engineer (SWRCE)  
Robert L. Holub, Supervising Water Resource Control Engineer (SWRCE)  
Joanne E. Schneider, Environmental Program Manager (EPM)  
Mark G. Adelson, Chief, Basin Planning Regional  
Gary D. Stewart, Chief, Surveillance and Enforcement  
Barbara Laffoon, Executive Assistant

State Board Representative

There was none present.

Legal Counsel

Jorge León

Public Attendance

Peter Wulfman, County of San Bernardino  
Bob Jocks, County of San Bernardino  
Arthur Rivera, County of San Bernardino  
Julie Gilbert, County of San Bernardino  
Joel Moskowitz, Moskowitz, Brestoft, et al  
Bonnie Montoya, SE Corporation  
Pat King, State Senator Soto  
Scott Goulart, Aerojet  
Erik Friedrich, CRA  
Jack Nelson, Yucaipa Valley Water District  
Greg Woodside, Orange County Water District  
Stef Zaki, County of Riverside  
Richard Orr, Kleinfelder

2. Public Forum

There were no speakers.

3. Approval of Minutes of, 2003 meeting

There being no additions or corrections, the minutes of the regular board meeting held on December 3, 2002, were approved as presented.

4. Approval of Consent Calendar Items

It was noted that items No. 5 and 7 had errata.

Action: It was moved by Member Withers, seconded by Member Ruh, and unanimously approved that the Board adopt Orders No. R8-2003-001 and 0015 with errata, and Orders No. R8-2003-0006, 0011, and 0016 as presented.

\*5. Revised Waste Discharge Requirements and a National Pollutant Discharge Elimination System Permit (NPDES No. CA0106283) for Disneyland Resort, OrangeCounty, Order No. R8-2003-0001

\*6. Waste Discharge Requirements and Technically Conditioned Water Quality Standards Certification, U.S Army Corps of Engineers, Lower Newport Bay Dredging Project, Orange County, Order No. R8-2003-0006

\*7. Waste Discharge Requirements, Temescal Canyon Properties - 8, LLC , Dos Lagos Lakeside Commercial Village, Temescal Canyon at Cajalco Road, Riverside County, Order No. R8-2003-0015

\*8. Amendment to Waste Discharge Requirements, Yucaipa Valley Water District, Henry N. Wochholz Wastewater Treatment Facility, San Bernardino County (NPDES No. CA0105619), Order No. R8-2003-0016

\*9. Rescission of Waste Discharge Requirements, Order No. R8-2003-0011

Order No.	Facility and Location
81-198	Cable Canyon Campground & Trailer Park, San Bernardino
91-48	Wright Petroleum, Laguna Hills
96-24	County of Orange, Environmental Management Agency, Upper Newport Bay
97-81	Orange County Public Facilities & Resources Department, Sunset Beach/ Huntington Beach

10. Administrative Civil Liability Complaint, TruGreen Land-Care, dba Miramar Wholesale Nursery, Lake Forest, Orange County, Administrative Civil Liability Complaint No. R8-2003-0005

Executive Officer (EO) Thibeault advised that the liability had been paid and the discharger waived its right to a hearing. No further Board action was required.

11. Cleanup and Abatement Order, Solid Waste Management Division, County of San Bernardino, Order No. R8-2003-0013

Information pertaining to this item is contained in a verbatim transcript.

The background and justification for the Order was presented by SWRCE Robert Holub.

Speakers were:

Joel Moskowitz, counsel for the County of San Bernardino

Peter Wulfman, County of San Bernardino

Gary Lass, Geologic Associates

Greg Woodside, Orange County Water District  
Steve Elie, Musick Peeler and Garret LLP

Executive Officer Thibeault and Board Counsel León made recommendations for changes to the Order before adoption.

Action: It was moved by Member Withers, seconded by Member Van Gundy, and unanimously approved that the Board approve Cleanup and Abatement Order No. R8-2003-0013 with errata and changes as proposed.

12. Agreement with Goodrich Corporation, Resolution No. R8-2003-0017

AEO Kurt Berchtold presented the proposed agreement and changes to the Resolution.

Craig Moyer, counsel for Goodrich Corporation, stated that the agreement would enable funds to be spent immediately for needed water treatment.

Steve Elie stated that the Goodrich Corporation was acting responsibly and hoped that other parties would follow their lead.

Action: It was moved by Member Withers, seconded by Member Ruh, and unanimously approved that the Board approve Resolution No. R8-2003-0017.

13. Status Report on Rialto-Colton-Fontana Perchlorate Investigation

AEO Kurt Berchtold presented the report on the status of the investigation and noted that ten Investigation Orders pursuant to Section 13267 had been issued to date to suspected dischargers.

Mr. Berchtold also advised the Board of staff participation in the Senate Committee hearing scheduled for January 29, 2003, in Sacramento. Board Member Dotson will also attend. Dischargers have been asked to attend, as well.

AEO Berchtold noted that Emhart Industries, Inc., has not complied with the Order and challenged the basis for the Order. Further, Emhart filed a petition for review of the Order and a request for a stay of the order with the State Board. The stay request was denied by the State Board based upon Emhart's failure to satisfy the prerequisites. Emhart has also resisted production of documents sought by staff as part of its investigation of the perchlorate pollution in the Rialto, Colton, and Fontana areas.

Craig Moyer and Steve Elie commented on the approach Goodrich Corporation was taking as opposed to that of Emhart and Black & Decker.

- 14. Hazardous Waste and Sewage Spill Incident Report
- 15. Underground Storage Tanks Site Closure Report
- 16. Underground Storage Tanks Corrective Action
- 17. Quarterly Violations Report

Staff provided the Board with written reports for items No. 14, 15, 16, and 17.

18. Executive Officer's Report

Mark Adelson, Chief of Basin Planning (Regional) presented an update regarding unpermitted discharges by the "Colonies" project in Upland.

A taped segment of a CNN interview with AEO Berchtold regarding the perchlorate investigation was presented to the Board.

19. Regional Board Member Communications

There were none.

20. Closed Session

There was none held.

21. Adjournment

The Board was adjourned at 12:10 p.m. to the regular meeting of February 21, 2003 at Loma Linda

Respectfully submitted



Gerard J. Thibeault  
Executive Officer

Bjl/